

REMARKS

Claims 1-11 are pending in this application. Claim 1 has been amended and claims 7-11 have been added. No new matter has been introduced as a result of these amendments. Paragraph 1 of the application has been amended to reflect the serial numbers of the cross referenced applications. The Applicants acknowledge the Examiner's indication that claims 5 and 6 contain allowable subject matter.

Rejections Under 35 USC 102

In light of the amendments to claim 1, the Applicants respectfully request the removal of the rejections under 35 USC 102. In particular, independent claim has been amended to incorporate the feature of each array is associated with corresponding first and second electrical bond pads for independently controlling emission current from each array. US Patent No. 5,869,924 to Kim requires that each array of the sub assembly are controlled through common contacts, thereby preventing independent control of each array. As amended, claim 1 specifies that each array of the sub assembly is independently controlled. Support for this amendment may be found in Figure 2, and the corresponding text of the specification. This feature is neither disclosed nor suggested by Kim. Claims 2-11 depend from claim 1, and are not anticipated by Kim for at least these reasons.

Rejections Under 35 USC 103

Claims 2-4 were rejected under 35 USC 103 as being unpatentable over Kim. Claims 2-4 depend from claim 1. As mentioned above, claim 1, as amended, is not anticipated by Kim. It would not have been obvious to modify Kim to provide independent control of each array as that would require redesigning the structure disclosed by Kim. Accordingly, Applicants

Appl. No. 10/628,775
Amdt. dated December 30, 2004
Reply to Office Action dated September 9, 2004

respectfully request that the rejection of claims 2-4 be removed in light of the amendment to claim 1.

Applicants respectfully request a Notice of Allowance based on the foregoing remarks. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774 6921. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ALTEP058A). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
MARTINE PENILLA GENCARELLA, LLP



Michael L. Gencarella, Esq.

Reg. No. 44,703

Martine Penilla Gncarella, LLP
710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
Tel: (408) 749-6900
Customer Number 45640